

GAHC010150982024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : I.A.(Civil)/2436/2024

THE TEWARIPAL ECO DEVELOPMENT COMMITTEE OF EASTERN ASAM
WILDLIFE DIVISION AND 2 ORS
BOKAKHAT UNDER NORTHERN RANGE, PANIBHARAL, BISWANATH, A
COMMITTEE REGISTERED UNDER THE PROVISIONS OF RULE 7(vii) OF
ASSAM JOINT (PEOPLE'S PARTICIPATION) FORESTRY MANAGEMENT
RULES, 1998 REPRESENTED BY ITS PRESIDENT SRI DAL MOHAN CHETRI,
S/O LATE MOHAN LAL CHETRI, R/O TEWARIPAL, PS. SOOTEA, DISTRICT
BISWANATH, PIN 784175,

2: SRI KESHAB RAUT
S/O LATE TIL BAHADUR RAUT
MEMBER
TEWARIPAL ECO DEVELOPMENT COMMITTEE
R/O TEWARIPAL
PS. SOOTEA
DISTRICT BISWANATH
PIN 784175.

3: SRI BISHNU KHARKA

S/O LATE CHATRAMAN KHARKA
MEMBER
TEWARIPAL ECO DEVELOPMENT COMMITTEE
R/O CHANDRABETTI
P.O. GORPAL
PS. SOOTEA
DISTRICT BISWANATH
PIN 784175

VERSUS

M/S NADUAR KOIBARTA MACH MARA S. S. LTD. AND 5 ORS
PAHUCHOWA GAON, P.O. NIZ SOOTEA, DISTRICT- SONITPUR, ASSAM
REPRESENTED BY ITS PRESIDENT- SRI KHAGEN DAS, AGED ABOUT 55

YEARS, SON OF LATE DEBEN DAS, RESIDENT OF CHENGELIMARA, P.O.-
PANPUR, P.S.- JAMUGURIHAT, DISTRICT- SONITPUR, ASSAM, PIN- 784180.

2:THE DEPUTY COMMISSIONER
SONITPUR
DISTRICT- SONITPUR
ASSAM

PIN- 784001.

3:THE ADDITIONAL DEPUTY COMMISSIONER (REVENUE)
SONITPUR
DISTRICT- SONITPUR
ASSAM

PIN- 784001.

4:THE DISTRICT FISHERY DEVELOPMENT OFFICER
SONITPUR DISTRICT
DISTRICT- SONITPUR
ASSAM

PIN- 784001.

5:THE CIRCLE OFFICER
NADUAR REVENUE CIRCLE
DISTRICT- SONITPUR
ASSAM

PIN- 784175.

6:THE STATE OF ASSAM

REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM
FISHERY DEPARTMENT
DISPUR
GUWAHATI-6

For the Applicant(s)	: Mr. M.R. Adhikari, Advocate
For the Respondent(s)	: Mr. N. Borah, Govt. Advocate Mr. R.R. Gogoi, SC, Forest Department

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 21.11.2024

Heard Mr. M.R. Adhikari, the learned counsel appearing on behalf of the applicants. Mr. N. Borah appears on behalf of the writ petitioner and Mr. R.R. Gogoi, appearing on behalf of the Forest Department.

2. The accompanying writ petition has been filed by the petitioner being aggrieved by the inaction on the part of the Forest Department in not opening the embankment for which the Petitioner Society is not being able to effectively take steps pertaining to its settlement of the Naduar Min Mahal.

3. This Court has also heard Mr. N. Borah the learned counsel appearing on behalf of the petitioner who submitted that whenever the Forest official takes steps there is an opposition made by the applicant committee for which the petitioner is constrained to approach this Court by filing the writ petition.

4. Taking into account the above factual matrix, this Court is of the opinion that the applicants herein are a necessary party for adjudication of the dispute involved in the instant writ petition.

5. Accordingly, this Court impleads the applicants herein as respondent Nos. 6, 7 and 8 to the accompanying writ petition.

6. The petitioner herein is directed to file a fresh memo of parties before the Registry of this Court within 3(three) days and the Registry shall on the basis of the fresh memo of parties make necessary correction in the cause title of the writ petition as well as also update the same in the CIS.

7. In view of the above, the I.A. stands disposed of.

JUDGE

Comparing Assistant